

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL NO. 1:06-CR-0199-02
	:	
v.	:	(Judge Conner)
	:	
GABRIEL RIVERA-GIL	:	

ORDER

AND NOW, this 16th day of June, 2009, in light of defendant Gabriel Rivera-Gil's refusal to testify at the trial of his co-defendants in the above-captioned matter, and for the reasons set forth on the trial record on the date hereof, it is hereby ORDERED that:

1. Defendant Grabriel Rivera-Gil is HELD in CONTEMPT of court. This contempt is civil in nature. Defendant shall continue to be held in civil contempt until the conclusion of the trial currently underway in the criminal action appearing at Docket No. 1:06-CR-0199.
2. Defendant may purge his contempt by appearing in court and offering testimony in accordance with the following provisions:
 - a. The United States Marshal is instructed to return defendant to court at the conclusion of trial proceedings. Defendant may purge his contempt by offering testimony at that time.
 - b. Defendant may alternatively purge his contempt by agreeing to offer testimony before the conclusion of the trial. If defendant wishes to testify, he shall communicate with the warden of the institution in which he is currently confined. The warden shall inform the United States Marshal of defendant's desire to testify. The Marshal shall relay this information to the court, which will arrange to hear defendant's testimony as soon as practicable.
3. If defendant fails to purge his contempt before the close of evidence, the court will convert the civil contempt sanctions imposed by Paragraph 1 into sanctions for criminal contempt.

4. The United States Marshal is instructed to provide a copy of this order to the warden of the institution in which defendant is currently housed. The Marshal and the warden shall ensure that any request by defendant under Paragraph 2.b hereof is relayed to the court without undue delay.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge